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Menstruation: parents fear sin more than their daughters failing in exams

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Growing attraction of Women toward jobs in army

• *Bishnu Rijal*

To drive home the message that it belongs to people of all castes, religions, communities, regions and both sexes, the army has started recruiting women.

Even two years back she was terrified by the sight of her father's bodyguard. But now Nima Paswan of Saptari is a member of the Royal Nepalese Army (RNA). Ammunition and weapons are her regular companions. Daughter of the acting chairman of the National Assembly, Ramprit Paswan, Nima did not have any financial problems, but she says she joined the army out of a desire to be independent. "The question is not only about the present," she says, indicating that she was thinking of future as well. She could have easily landed another job if her father had pulled some strings. "But I believe that I have to do something on my own," says Nima, revealing why she became a soldier.

Unlike other women she was not decked out in *sari*, but was rather in full military fatigue. Her hands lacked bangles but wielded a gun. Her forehead went without *tika* and she wore a military hat. And, instead of a traditional necklace, bullet rounds adorned her neck.

It was a day before *teej*, so the traffic of women was thick. "Won't you be celebrating *teej* this year?" As soon as this question was asked, Sabitra Thapa, a soldier on patrol in Tripureshwar area, answered, holding the gun extra

cautiously, "Duty will be over at twelve o'clock. We also have a holiday tomorrow for *teej*."

The number of women soldiers like Nima and Sabitra seen patrolling the streets is increasing. After RNA opened its non-technical ranks to women for the first time in last February/March, some 200 of them have completed training. They are now working in various military offices in the valley. Initially Sabitra was really worried about how she would fare in her job, but now she is used to military life. It was unemployment that prompted Sabitra to join the army. The gist of her experience: "It won't be difficult if you keep on doing it."

In order to curb possible immoral activities inside military barracks and ensure the security of women personnel, an overhaul in the structure of barracks is in order.

While until recently the women personnel of RNA were confined to technical areas, women are now seen out on patrol and also in the battlefield. As a result of the enthusiastic response to its call for applications, RNA, for the second time, recruited 251 more women soldiers. "It was the first time we selected women soldiers who would have to join combat. Our success in this regard has further encouraged us to increase their numbers in the coming days," says RNA spokesperson Rajendra Thapa. Declaring that women soldiers

have proven to be more dedicated to discharging their duties, Thapa says, “We are satisfied with their performance so far.” The first batch of women soldiers which had completed their training on August 2 this year was first deployed on August 29 to maintain security during the day’s valley *banda* (general strike).

Perhaps because of the successful response of recruitment of women in its ranks, the RNA headquarters has made a maiden call for applications from women for officer’s ranks too. According to a September 15 announcement, women who have passed the intermediate or the bachelor’s level are eligible to apply for the post of Second Lieutenant. Although the number of vacancies, to be filled following a women-only competition has not been disclosed, a source at the RNA Headquarters puts it in the neighborhood of 200.

Says military analyst Dr. Indrajeet Rai, “The army appears to have started trusting women. This trend is expected to rise.” He further adds, “Modernization of the army doesn’t only mean increasing weapons and troop strength; its structure and composition have also to be changed. The army may have started recruiting women to inspire the belief that the army is for people of all castes, religions, communities, regions and both sexes.”

The other warring side in the current conflict, the CPN (Maoist), however, has long been inducting women into its

fighting squads. That the number of Maoist women is quite large can be gleaned from the shots of female Maoist cadres – armed and in combat dress – splashing the pages of various papers. It has been found that the Maoists use women in combat missions too. Among the bodies of rebels found in the aftermath of clashes in different places, quite a few were women. Many see in the army’s women-recruitment drive a search for a psychological counterbalance to the expanding presence of women in the Maoist ranks. “At a time when women are involved in Maoist activities in huge numbers, the decision of the Royal Nepalese Army to recruit women can’t be considered unnatural,” says an RNA official. He points out that the concept of bringing women into its fold was a result of a search for ways to make the army more effective and adjust it to changing times.

That the applications exceeded the vacancies announced by the army by as many as five times show that women do not want to lag behind men in any kind of competition.

Even women soldiers can’t deny that it is far more difficult for women than for men to work as security personnel. They say they face more hardships mainly on account of physical and social reasons. They are deeply worried how they will manage to work when they are pregnant, need post-natal care and have to personally tend to their newborn babies. “I’ll face it when the time comes,” says Nima, brushing away her worry. The recruitment department of the RNA Headquarters had set two conditions while calling for applications: that the applicant should be unmarried and cannot marry throughout the training period. However, women already

working in technical posts and widows are exempt from these conditions.

Now that the door to the army has been opened for women, military rules and laws ought to be amended, says Dipta Prakash Shah, former Brigadier General and authority on military law. “The existing military laws, regulations and work procedures were not made keeping

in mind the participation of women that has now taken place. Therefore, as per the changed situation, they should be amended.” Shah also suggests that the structure of military barracks be changed so as to curb any possible immoral activities that might take place there and ensure the security of women personnel. “The present condition of barracks won’t suffice. It must change.”

Female genitalia sealed to protect virginity

• *Rajendra Sthapit*

More than 130 million women throughout the world have been victimized by the practice of sealing female genitalia with the purpose of preventing them from having pre-marital sex and, in case they do have sex, ensuring that the act is not a bit pleasant, but extremely painful.

Hannah Koroma, resident of a village of Sierra Leone in Africa, was only 10 then. One day, her grandmother took her to a riverbank on the pretext of treating her to an entertainment show. After being allowed to eat her fill, Hannah was shepherded to a nearby hut. In pitch darkness she was stripped naked, blindfolded and forced to lie supine on the floor. There were four strong-looking women already in the room. Two of them firmly gripped her feet while the third pressed her chest with her hands. Immediately thereafter, a cloth was shoved into Hannah's mouth.

The fourth woman – a mature one – took a blade in one hand and started cutting through Hannah's vulva. Hannah screamed and writhed, but was unable to free herself. Coolly indifferent to her pain and cries, the "surgeon" dug the blade into one of the folds of flesh bordering the vulva from top to bottom and then, making an incision into the inner edge, took out a chunk of flesh. The surgery was repeated on the other side too. Then only did Hannah's granny come over to examine the work of the "surgeon". After she gestured her approval, the "surgeon" woman proceeded to seal the vulva with

Coolly indifferent to her pain and cries, the "surgeon" dug the blade into one of the folds of flesh bordering the vulva from top to bottom and then, making an incision into the inner edge, took out a chunk of flesh.

stitches, making sure that she left a small outlet for urination and menstruation. Then, as a precautionary measure against the wound on the outer part of the vulva worsening due to friction while using the limbs, the woman tied Hannah's limbs from the buttocks to the knees, thereby completely immobilizing her legs. After the ordeal Hannah remained bedridden for up to 40 days.

This surgery, which takes about 15-20 minutes, in most cases without anesthesia and sterilization, is an inhuman practice that strives to prevent women from having premarital sex and, if perchance they do have sex, to ensure that the act is not blissful but an extremely painful one. Although this practice

dates back to 2300 B.C., it is much prevalent even today. Sierra Leone's Hannah, Khadra Hasan (who fled Somalia to Canada in 1993 along with her ten-year-old daughter), Faijiya Kasanga (who was incarcerated for a year for refusing to undergo circumcision and fled Togo in 1996 to seek refuge in the US), Lidiya Oluloro (who fled to Britain from Nigeria in 1986 to protect her three daughters from circumcision), Amiha Abu Al Siya (an Egyptian who died of excessive blood

loss while undergoing circumcision in 1995), Amna Badri (who went to Britain from Sudan with her daughters in 1997 and is presently campaigning against the practice) are some of the millions of women victimized by this practice. Despite vehement opposition from Amnesty International (AI), World Health Organization (WHO) and other human and women rights organizations, circumcision continues to be practiced – openly or in secrecy – in 28 African countries, Asian countries including Indonesian, Sri Lanka, India and Malaysia, and even in western countries like Britain, France, Italy, Sweden, the Netherlands, Denmark, Canada and USA, and Australia, and in countries in the Middle East, Latin America and South America. According to recent BBC data – referring to a worldwide anti-circumcision awareness campaign launched in March 5 by AI – 130.5 million women have been victimized by the practice that causes extreme mental trauma and physical pain, while two million more are currently at risk.

Popular among Muslims and indigenous African communities, this practice is performed in three ways. Leaving a small hole for urination and menstruation, the vulva is sealed with stitches. Due to lack of trained manpower the surgery is performed without anesthetizing the concerned person. And because sharp tin sheets/strips, knives, glass shards and even rusty pairs of scissors are used to make incisions, in most cases wounds are found to deteriorate, causing much pain to the victim. According to BBC, in the African country of Gambia alone, 1348 of circumcised women were found to be infected with the HSV2 virus. That apart, other risks of the crude surgery

include urinary complications, damage to kidneys and urinary tract, pain during intercourse and miscarriage.

Circumcision is being practiced throughout the world in the name of religion, culture and gender reputation. Its advocates argue that, *inter alia*, it keeps women fit, secures them the faith of husbands and reduces sexual frustration among unmarried girls. It is noteworthy that it was also supported by a Kenyan President, Jomo Kenyat. Even now, the National Council of Muslim Women (NCMW) of Africa, SOWAY (a grouping of Muslims), Somali Amina Ahmad, who is living in Britain, Kenyan Njeri, are openly throwing their weights behind the practice.

Not that there have been no efforts to check it. AI has been fighting it since 1981 while WHO and other human rights organizations have been demanding its abolishment by holding international conferences in Ghana, Khartoum, London and Nairobi. Fourteen African countries including Uganda, Ghana, Ethiopia, Senegal, Togo, Burkina Faso along with Britain and France have already enforced a legally backed ban on the practice. Likewise, Princess Yufrasia Ittaojong of the African nation of Cameroon, herself a victim of the practice 17 years ago, is also rallying against it. Rights of Women in Africa has been doing its part since 2003.

Perpetrators are being punished, too. In the last three months of this year alone, 37-year-old Salimata Naigh in Senegal was sentenced to 14 years in jail; 14 women in Burkina Faso were handed three-year sentence; and Malika Hawa Graiu (who circumcised 15 girls aged

between 2-10) to 20 years by a Paris

Toilets change lives of women

• *Bharat Adhikari*

Toilets built in every house of Karkidanda of Dhading district have benefited its womenfolk the most.

“The more than 400 residents of this village defecate in the open. If a person defecates on average 250 grams of feces, in one day 109 kilos and in a year about 400 quintals of feces are accumulated in empty areas.” Addressing a gathering at Karkidanda’s *chautari* (informal gathering) nine months ago, Mangaldas Duwal, senior technician of Nepal Water for Health (NEWAH) was estimating the amount of human feces discharged in the open and the practice’s harmful effects on human health and environment. “One gram of feces can contain ten million viruses, one million bacteria and 100 stomach worm eggs. What would happen to us if only a tiny particle of such feces were to enter our stomach through any means?” An elderly man listening to the lecture said, making a face, “Oh, I have eaten so much shit.”

A campaign to build a toilet in every house of Karkidanda of Bhumisthan VDC-8 of Dhading district is underway as part of a community-led “complete sanitation” program, assisted by NEWAH. Thirteen years ago, a drinking water project, under the assistance of WATERAID Nepal, was introduced in the village. The 12 waterspouts built back then and four more that were added later continue giving water. However, in a village considered to have the best drinking water system, not a single house had a toilet until last year. Less

It was not that easy to find inconspicuous places to relieve oneself, and snakes and wild animals were a deterrent to venturing far a field.

than a year after work began to make the village a completely sanitized area, 46 of its 65 houses have toilets built without subsidies. Toilets are being built in the remaining houses at top speed. The target was to have a toilet in every house of Karkidanda by September 21, says Duwal. According to him, after all houses have a toilet, a board declaring the village to be completely sanitary will be put up at the gateway of the village.

Duwal has found women to be more active than men in the campaign to make the village completely sanitary. Most of the village men go to Simle for work during

the day. Those who don’t have work also do not stay at home. Duwal says local women are in charge of explaining to villagers that building toilets with the money that would otherwise be spent on treatment of a disease would keep the disease itself at bay.

“Without the help of women this campaign would have crashed midway,” says Duwal.

Sunkeshari, resident of the village, is testimony to the fact that women are more concerned about the village’s sanitary condition. Although she makes a living from sewing, she did menial work so that with the wages it fetched she could buy a sack of cement, ceramic pan and three kilos of iron rods. At a

cost of Rs 2500 – including construction materials and wages – her toilet was built. She is glad she is using a toilet, and has felt an improvement in her social standing.

So how did the villagers, especially women, who never felt the need of toilet, become attracted in such a short period toward building toilets without any subsidy? All thanks to an unusual campaign, says Duwal. “We visited the places where they defecated and fixed yellow flags onto heaps of shit. Seeing flags all around them, the villagers realized that heaps of shit littered the entire village haphazardly, and became frightened. Then one day we discussed about how much shit is accumulated in the open areas of the village and their effects on health. After being continuously told about the importance of toilet and hygiene, people ultimately wanted to build and use toilets.” Such type of discussions on human excreta, an issue that people are generally loath to talk about, gave rise to revulsion among them and inspired them to build toilets, contends Duwal. It was even easier to get the support of the village women for the proposal to build toilets, he adds. According to Duwal, two women health activists are conducting health-related awareness programs in Karkidanda so that community members, particularly women, acquire and maintain sanitary habits.

Most of the organizations currently working in the sanitation sector in Nepal provide economic support for making toilets. But the concept of complete sanitation that has been introduced in the village does not encourage subsidies. It

is based on the experience that people don't feel obliged to maintain toilets built with subsidies, and such toilets are not used in the long run. “People have caught a habit of expecting subsidy in everything. But it is wrong; building toilet doesn't need subsidy,” says health activist Amrita Upreti.

In the Nepali month of Asar last year (June-July 2003), 57-year-old Devkumari Thapa fell off a slope of a homestead while going to defecate, and broke a leg. She incurred more than Rs 10,000 in expenses for her treatment. “Four strong toilets could have been built with the money spent for my treatment,” says Thapa, pointing out the importance of the toilet.

“When we didn't have toilet, even during the day the prospect of having to defecate at night filled me with dread. As someone had to accompany the person in the family who felt the need to defecate at night, other's sleep would also be disturbed. Now we are able to sleep peacefully at night,” says Thulimaya, who has just built a toilet. Women faced more difficulties defecating than men did. It was not that easy to find inconspicuous places to relieve oneself, and snakes and wild animals were a deterrent to venturing far afield. Those difficult days are over, now that there is a toilet nearby, says Thulimaya. Besides toilet construction, locals of Karkidanda are also paying attention to other aspects of hygiene. Says health activist Upreti, “People wear clean clothes even if they are old. The practice of washing hands before cooking and eating, and after defecation, is growing.”

Women of Baglung make a living selling *dunatapari*

- *Gyanendra Gautam*

There is a need to promote *dunatapari* at meals and parties to encourage the work of women and attract them toward the vocation.

It may be difficult to believe that the leaves of the sal tree going to waste in forests can become a good source of income. But women of Baglung bazaar are earning money daily from those very leaves. They have not only increased their incomes but also been offering an alternative to imported paper plates. Their source of income: *dunatapari* (leaf plate) made of sal leaves. With the initiative of Women Entrepreneurs' Development Cooperative, women of Baglung's Kinaratole are making 200-300 *dunatapari* per day.

"We took to this work because sal leaves that would otherwise go to waste are utilized and it fetches 100 to 150 rupees daily," says Indra Shrestha, who makes *dunatapari* at home. "Now it is easier for us to pass time, besides earning income." Around 10-12 women are engaged in this profession daily. The cooperative buys sal leaves from villages and distributes them among these women. It also buys each *dunatapari* made by the women for 75 paisa, after deducting 25 paisa as the cost of leaves. Since the cooperative itself markets the product, women don't have to bother with marketing, says Shrestha, who is also the president of the cooperative. Mina Rajbhandari says she was attracted toward the profession because she won't

have to stay idle, and can make some money out of it. The women engaged in the profession produce 400-500 *dunatapari* per day.

It is not only the women who make *dunatapari* who are earning a good living. Other village women are also making money by selling sal leaves. In particular, women of Parbat Dhairing bring sal leaves to Baglung bazaar for sale. Manmaya Dorje says they collect

leaves from the forest in just one day and take them to the bazaar the next day. With one bunch fetching five rupees, in two days some 200-300 rupees can be earned, says Dorje. They bring 40-60 bunches each for sale.

As *dunatapari* is used mostly during worships and

other religious activities, there are some problems in marketing, says the cooperative's president Shrestha. Occasionally, though, it is also used during marriage ceremonies and *bartabandh* (a kind of initiation ritual among Hindu men). Shrestha says that if *dunatapari* were used as an alternative to imported paper plates, they would make a handsome income and money would not go abroad. She demands that *dunatapari* be given priority at big festivals and parties.

Dunatapari must be used in large numbers so that money spent on paper plates, which are hazardous to health and environment, is saved and invested in the country.

Dr. Tarun Paudel of Baglung Hospital maintains that *dunatapari* must be used in large numbers so that money spent on paper plates, which are hazardous to health and environment, is saved and invested in the country. Prem Chhota, a local, agrees that there is a need to promote *dunatapari* at meals and parties to encourage the work of women and attract them toward the vocation.

Established in 2057 B.S., the cooperative extends collateral-free loan up to Rs 20,000 to women, with the purpose of

providing them access to income-generating activities. Those who run their businesses efficiently are entitled to a second loan up to Rs 50,000, says Shrestha. The cooperative, which started out with just Rs 14,000 raised from shares, has now collected and invested between one million and 1.2 million rupees in the businesses of women. It is also helping women to take up vocations such as weaving cotton threads, making paper flowers, knitting sweaters and sewing clothes.

Menstruation: parents fear sin more than their daughters failing in exams

- *Basanta Maharjan/ Krishna Adhikari*

Parents are more afraid of committing a sin if their daughters go to school during menstruation than the possibility of the latter failing in exams if they are not sent to school whenever they have a period.

The monthly cycle of menstruation among girls has become an impediment to their pursuit of education in far-western Nepal. For, during periods, school girls are forced to stay at home and not attend school. Laxmi Joshi, who is engaged in community development under Nepal Red Cross Society's Jogbudha subdivision in Dadeldhura district, some 800 kilometers west of the capital, also never attended school whenever she had periods. Now she encourages girls to go to school even at times of menstruation. "Though teachers would not say anything if we went to school during periods, we feared admonitions from family and others in society. So we missed classes for four days during periods, and missing four days' classes every month was really alarming."

Menstruation is a natural phenomenon among teenaged girls, but for those in western Nepal it has become a curse because of superstition. In local dialect, menstruation is called *chhau* or *chhui* and menstruating women are kept in solitary confinement, locally known as *chhaupadi*. There prevails a deep-rooted belief that women that have a period should not touch anyone and, if they do, god will get angry and unleash disaster.

What is worse is that in such a condition women are shunned by society.

The practice of *chhaupadi* adversely affects a woman's physical and mental health at a time when she requires special care. But its followers do not have any clear answers and scientific logic to offer when questioned about the norms and values of the practice and that why god, whose wrath they dread so much, would unleash disaster. All they say is that they have been loyally following a tradition.

Let alone sending girls having a period to school, family members hold the belief that at such times the girls should not even be allowed to touch books.

No more better off are the women in Doti district, where women having periods are confined to a small hut not close to their houses. While the practice of keeping menstruating women at some distance from the house is losing ground in districts like Dadeldhura, Baitadi and Bajhang, it is particularly rampant among migrants from Doti, say locals. Most houses in these remote districts of far west Nepal are two-storied; the upper floor is occupied by the family while the ground floor is for its cattle. The practice of keeping menstruating women in the ground floor among animals continues to this day in many parts of this region.

In recent years women are being allowed to use the ground floor instead of having to stay in a separate hut, a change that local intellectuals like to call social reform.

“I feel embarrassed when I have a period, so how can I go to school?” asks an innocent school girl. Says social worker Joshi, “Feeling embarrassed when one has a period is a personal matter. However, family members, instead of sending them to school at such times, maintain that they should not even be allowed to touch books. This very belief has been an impediment to the educational development of girls.”

Indra Bahadur Malla, principal of Sunkuda Higher Secondary School in Bajhang district, says girls can attend classes freely even when they have periods and that the school has no objection to it. “But the problem is that they themselves do not come to school,” says Malla. “If a girl student remains absent for four days, teachers understand that she is having a period but none speaks out on this issue. Because they miss classes during periods, girls are found to be weaker than boys in studies.”

The message that daughters should also be sent to school has spread satisfactorily across the far-west. Of the 379 students of Sunkuda Higher Secondary School in Bajhang, 113 are girls. But statistics show that the number of girls pursuing higher education in the same school is low. The higher the level the lower the number of girls, according to principal Malla. He says other schools in the area are also experiencing the same trend.

Parents tend to think that they have done more than enough by educating their daughters upto only grade two to four. As a result, girls have little access to higher education. Because their mothers are uneducated, girls suffer much physical and mental pain when they have a period. It can easily be concluded that the education of girls has been hit hard by the practice of *chhaupadi*.

The practice, however, is relatively less severe in urbanised areas. Cadres of the underground CPN (Maoist), which is fighting what it calls “people’s war”, claim that their presence has brought about reforms in the remote settlements of the far-west. After the Maoists launched a campaign against superstitious beliefs and discrimination against women, reforms are gradually happening, claims Sharada, Maoist in-charge of Area-3 of Bajhang district. According to Sharada, the rebel outfit’s women’s wing is crusading against the practice of regarding women as untouchables during menstruation, the dowry system, the *jari* system (paying fine to wife’s former husband) and other such discriminatory systems. She says, “It is not possible to stamp out at one shot a superstition that has been firmly rooted in the society for centuries; people will slowly understand things. But we have been strictly prohibiting the practice of confining women having a period to a hut at some distance from the house. Similarly, we have been encouraging parents to send their daughters to school even when they have a period, and girls to go to school.”

But the elderly of the villages are yet to realise that the belief that a menstruating woman or girl should not touch anyone and that disaster will strike if they do is

only social superstition and does not have an iota of scientific rationale. Joshi succinctly expresses the extent of superstition among them. “Parents are more afraid of committing a sin if their daughters go to school during

menstruation than the possibility of the latter failing in exams if they are not sent to school whenever they have a period. This very fear has become a curse to the girls of the far-west.”

Justice after 18 years for Motimaya

• Bikas Bhattarai

Motimaya, 80, who was forced to lodge in a rented room after her neighbor seized her property at Makhantole in Kathmandu, has won a case at the Supreme Court at the initiative of her daughter, and is now back in her own house.

Motimaya Shrestha, 80, who was forced to lodge in a rented room after her neighbor seized her property at Makhantole in Kathmandu, has won a case at the Supreme Court at the initiative of her daughter, and is now back in her own house, after living in a rented room for 18 years.

For years she dragged her stooped body to make the rounds of the District Court, the Appellate Court and the Supreme Court (SC) begging for justice, and although Motimaya did get justice on paper, she had to suffer much more before finally getting it in real terms.

She is still not able to live in her house without any worries. The reason: although the SC has ruled in her favor and brought the case to an end, her neighbor has again filed a case at the District Court on the issue on another pretext.

A year ago, the Supreme Court ruled that the house in Makhantole built on a land bearing Kitta No. 713 and covering an area of 1 ropani 3 anna and 3 paisa belonged to Motimaya. When the court's decision, which she thought had delivered complete justice to her, was

not implemented, Motimaya complained that the court's employees were the ones who would not abide by its decision.

After Motimaya's neighbor, Parshuram Shrestha, stirred up controversy staking his claim to the house, the Kathmandu District Court, on August 15, 1993, gave a verdict against Motimaya. She lost the case at the Appellate Court too. The defeat in the court forced her to leave her house and rent a room.

When the court's decision, which she thought had delivered complete justice to her, was not implemented, Motimaya complained that the court's employees were the ones who would not abide by its decision.

Seeking reversal of the decisions of both the courts, Motimaya then filed a petition at the SC for a retrial, upon which a division bench comprising senior Justices Hari Prasad Sharma and Chandra Prasad Parajuli ruled that the house at the centre of the controversy belonged to Motimaya.

Even though it was an apex court verdict, Motimaya had to plead – in tears – with the staff of the Joint Registrar's office and petition the division bench to have the decision implemented. Only after her long struggle and persistent media pressure was the SC verdict implemented recently.

“With the help of newspapers, lawyers and my daughter, it seems that I can now live in my own house. Even then they are filing a case yet again, raising unreasonable objections. But truth will emerge victorious next time too,” says Motimaya of her victory.

The role of Laxmi Shrestha, Motimaya’s daughter, was instrumental in getting SC’s decision implemented. By putting her job as nurse at risk, Laxmi would visit the courts almost daily, and eventually succeeded in getting her mother the rightful ownership of the ancestral house.

Laxmi worked at Bir Hospital. While she was struggling to secure her mother’s ownership of the ancestral house, Laxmi was transferred to a remote village of Dhading. “I kept on working on the case, determined that I would not take up the new posting until the Supreme Court’s decision was implemented, even if I were to lose my job. I have succeeded to some extent,” says Laxmi.

Adds Laxmi, “I have a brother, but he is not educated. So I had to help my mother with the case. My family used to scold me for being too engrossed in it.”

Motimaya’s neighbor, Parshuram, used her house for 18 years. During that time he earned hundreds of thousands of rupees by renting it out.

In the absence of a clear legal provision as to who is entitled to the rental earnings of the period now that SC has ruled in favor of Motimaya’s claim over the house, Parshuram is not obliged to return the amount.

But Motimaya argues, “This house is mine. The court has also stated that it is mine, so the amount Parshuram received as rent from it has to be mine too.”

Legal experts say that a court decision of this nature calls for a clear legal provision that automatically entitles the rightful property owner to compensation from the party that has been using the property in question.

Likewise, they also stress the need for a legal provision that would prohibit filing a case again at the lower court where it was first fought after the SC has ruled upon it. With no such legal provisions, Motimaya is living in perpetual fear of having to leave her house once again. Because, a case has been filed against her at the District Court, again.

Sancharika Samuha was established by a group of women communicator's in April 1996, with the primary aim of promotion of gender equality in Nepal. The Sancharika Feature Service incorporates monthly articles/features on the grave situation of women and children in our country, the social outlook towards them, the pain and agony that they have faced and the courageous steps that women have taken in this regard. We hope to fulfill the lack of news and articles on women and children to some extent through this feature service and we look forward to your kind support in publishing these articles in your respective newspapers. We would also like to request you to send us a copy of the published article and to mention 'Sancharika Feature Service' below the published article.

λ Sancharika Samuha Nepal

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